

TITLE 23—HIGHWAYS

This title was enacted by Pub. L. 85-767, §1, Aug. 27, 1958, 72 Stat. 885

Chap.		Sec.
1.	Federal Aid Highways ¹	101
2.	Other Highways	201
3.	General Provisions	301
4.	Highway Safety	401
5.	Research and Technology	501

AMENDMENTS

1998—Pub. L. 105-178, title V, §5101(1), June 9, 1998, 112 Stat. 422, added item for chapter 5.
1966—Pub. L. 89-564, title I, §102(b)(3), Sept. 9, 1966, 80 Stat. 735, added item for chapter 4.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF
FORMER TITLE 23

<i>Title 23 Former Sections</i>	<i>Title 23 New Sections</i>
1	Rep.
2	101
2a	101(a)
2b	101(a)
3	Rep.
3a	Rep.
3b	Rep.
4	Rep.
5	Rep.
6	103(b), (e), 105(c), 121(c)
6-1	103(c)
6a	103(d)
6a-1	105(d)
6a-2	310
6b	Rep.
6c	Rep.
7	110(a)
8	109(a)
8a	109(a), 112(a)
9	301
9a	129(a)
9a-1	Rep.
9b	129(a)
10	109(a)
10a	Rep.
10b	Rep.
10c	Rep.
11	Rep.
12	105(a), 106(a), (c), 121(d)
12a	121(c)
12b	Rep.
13	114(a)
13-1	112(b), (c)
13a	Rep.
13b	103(d)
14	121(a), (b), (e)
14a	Elim.
15	Rep.
16	Rep.
17	316
18	317(a)-(c)
19	315
20	Rep.
20a	Rep.
21	104(a), (b)(1)
21-1	307(a), (b)
21a	104(b), 105(a), 106(a), 114(a), 118(a), (c)
21a-1	Rep.
21a-2	Elim.
21b	Rep.
21c	311
21d	Rep.
21e	122
22	104(e)
23	101(a), 202(b), 204(a)-(c), 205(a)-(c)
23a	Rep.

¹ So in original. Does not conform to chapter heading.

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF
FORMER TITLE 23—Continued

<i>Title 23 Former Sections</i>	<i>Title 23 New Sections</i>
23b	Rep.
23b-1	Rep.
23c	205(c)
24	Rep.
24a	109(e)
25	Rep.
26	Rep.
41	101(a), 105(e)
41a	101(a), 103(b)
41b	101(a), 103(b)
42	Rep.
43	Rep.
44	Rep.
45	Elim.
46	See T. 18 §1020
47-53	Rep.
54	Elim.
54a	Rep.
54b	Elim.
55	126
55a	Rep.
55b	126(b)
56	Rep.
57	314
58	Elim.
59	Elim.
59a	Rep.
60	103(d)
61	307(c)
62	318
63	109(d)
64	320(a)
65	320(b)
66	320(c)
67	320(d)
68	320(e)
69	320(f)
70	313
71	303(a)
72	303 note
73	303(a)
101	Rep.
101a	Rep.
102	Rep.
103	Rep.
104	Rep.
105	Rep.
106	210(a), (b)
107	Rep.
108	Rep.
109	Rep.
110	Rep.
111	Rep.
112	Rep.
113	Rep.
114	210(e)
115	308(a)
116	Rep.
117	312
151(a)	104 note
151(b), (c)	104(c), 117(a)-(c), 118(b)
152	204(f), 205(d)
153	206(a), 207(a), 208(a), (b)
154	209(a)
155	203
156	101(b), 103(f), 104(b)(1), 116(d), 119(a), (b), 120(h)
157	103(d)
158(a)	101(b)
158(b)	101 note
158(c)	104(b)(4)
158(d)	104(b)(5)
158(d)	104 note
158(e)	120(c)
158(f), (g)	118(c)
158(h)	115
158(i)	109(b)
158(j)	127
158(k)	307 note

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF
FORMER TITLE 23—Continued

<i>Title 23 Former Sections</i>	<i>Title 23 New Sections</i>
159	107
160	108
161	124
162	123
163	111
164	129(b)–(d)
165	Elim.
166	113
167	101(b), 128(a), (b), 304
168	Elim.
169 (less last proviso)	Rep.
169 (last proviso)	Elim.
170	305
171	306
172	Rep.
173	120 note
174	307 note
175	Elim.

CITATION

Section 1 of Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 885, provided in part that this title may be cited as “Title 23, United States Code, §—”.

REPEALS

Section 2 of Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 919, repealed the sections or parts of sections of the Revised Statutes or Statutes at Large covering provisions codified in this title.

CONSTRUCTION

Section 3 of Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 921, provided that:

“(a) If any provision of title 23, as enacted by section 1 of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the title and the application of the provision to other persons or circumstances shall not be affected thereby.

“(b) The provisions of this Act shall be subject to Reorganization Plan Numbered 5 of 1950 (64 Stat. 1263) [set out in the Appendix to Title 5, Government Organization and Employees].”

SAVINGS PROVISION

Section 4 of Pub. L. 85-767, Aug. 27, 1958, 72 Stat. 921, provided that: “Any rights or liabilities now existing under prior Acts or portions thereof shall not be affected by the repeal of such prior Acts or portions under section 2 of this Act.”

RECODIFICATION OF TITLE 23

Pub. L. 104-59, title III, §357(a), Nov. 28, 1995, 109 Stat. 625, provided that: “The Secretary [of Transportation] shall, by March 31, 1997, prepare and submit to Congress a draft legislative proposal of necessary technical and conforming amendments to title 23, United States Code, and related laws.”

Pub. L. 102-240, title I, §1066, Dec. 18, 1991, 105 Stat. 2006, provided that the Secretary of Transportation was to have prepared, by Oct. 1, 1993, a proposed recodification of title 23, United States Code, and related laws for submission to Congress for consideration, prior to repeal by Pub. L. 104-59, title III, §357(b), Nov. 28, 1995, 109 Stat. 625.

TITLE REFERRED TO IN OTHER SECTIONS

This title is referred to in title 16 section 3172; title 25 section 4305; title 40 sections 345c, 818; title 40 App. sections 201, 214; title 42 sections 7506, 7509; title 49 sections 5303, 5304, 5305, 5306, 5334, 22301, 31102.

CHAPTER 1—FEDERAL-AID HIGHWAYS

SUBCHAPTER I—GENERAL PROVISIONS

Sec.	
101	Definitions and declaration of policy.
102	Program efficiencies.

Sec.	
103.	Federal-aid systems.
104.	Apportionment.
105.	Minimum guarantee.
106.	Project approval and oversight.
107.	Acquisition of rights-of-way—Interstate System.
108.	Advance acquisition of real property.
109.	Standards.
110.	Revenue aligned budget authority.
111.	Agreements relating to use of and access to rights-of-way—Interstate System.
112.	Letting of contracts.
113.	Prevailing rate of wage.
114.	Construction.
115.	Advance construction.
116.	Maintenance.
117.	High priority projects program.
118.	Availability of funds.
119.	Interstate maintenance program.
120.	Federal share payable.
121.	Payment to States for construction.
122.	Payments to States for bond and other debt instrument financing.
123.	Relocation of utility facilities.
124.	Advances to States.
125.	Emergency relief.
126.	Uniform transferability of Federal-aid highway funds.
127.	Vehicle weight limitations—Interstate System.
128.	Public hearings.
129.	Toll roads, bridges, tunnels, and ferries.
130.	Railway-highway crossings.
131.	Control of outdoor advertising.
132.	Payments on Federal-aid projects undertaken by a Federal agency.
133.	Surface transportation program.
134.	Metropolitan planning.
135.	Statewide planning.
136.	Control of junkyards.
137.	Fringe and corridor parking facilities.
138.	Preservation of parklands.
[139.	Repealed.]
140.	Nondiscrimination.
141.	Enforcement of requirements.
142.	Public transportation.
143.	Highway use tax evasion projects.
144.	Highway bridge replacement and rehabilitation program.
145.	Federal-State relationship.
146.	Carpool and vanpool projects.
147.	Priority primary routes.
148.	Development of a national scenic and recreational highway.
149.	Congestion mitigation and air quality improvement program.
[150.	Repealed.]
151.	National bridge inspection program.
152.	Hazard elimination program.
153.	Use of safety belts and motorcycle helmets.
154.	Open container requirements.
155.	Access highways to public recreation areas on certain lakes.
156.	Proceeds from the sale or lease of real property.
157.	Safety incentive grants for use of seat belts.
158.	National minimum drinking age.
159.	Revocation or suspension of drivers' licenses of individuals convicted of drug offenses.
160.	Reimbursement for segments of the Interstate System constructed without Federal assistance.
161.	Operation of motor vehicles by intoxicated minors.
162.	National scenic byways program.
163.	Safety incentives to prevent operation of motor vehicles by intoxicated persons.
164.	Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence.